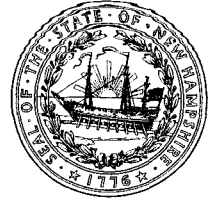




The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

**LETTER OF DEFICIENCY
WET 06-002**

January 4, 2005

William & Jean Cupples
20 Goonan Rd
Hooksett, NH 03106

RE: DES Wetlands File #2005-02183; 20 Goonan Rd, Hooksett

Dear Mr. & Mrs. Cupples:

On September 26, 2005, personnel from the Department of Environmental Services ("DES") conducted an inspection of the above referenced property, more specifically referenced on Town of Hooksett Tax Map 37 as Lot 18 (the "Property"). The purpose of the inspection was to determine compliance with RSA 482-A and NH Code of Admin. Rules Wt 100-800.

During the inspection and subsequent research on the property, the following deficiency was documented:

1. An area of bank measuring approximately 44 feet by 10 feet had been recently rip rapped with stone. The stone measured 6-10 inches in depth and spanned from the top of slope to below the water line.

In response, you are requested to take the following actions:

1. **Within 30 days** of this Letter of Deficiency, notify DES in writing that you have hired a certified wetland scientist or certified erosion control specialist.
2. **Within 60 days** of this Letter of Deficiency, submit a restoration plan to DES for review and approval. Have the restoration plan prepared by a certified wetland scientist or certified erosion control specialist, and include provisions for removing the rip rap from the bank and re-stabilizing the bank using vegetative methods.

Submit the following with the restoration plan:

- a. A plan with dimensions, drawn to scale, showing:
 1. Existing conditions, with wetland boundaries, the upper and lower regions of the rip-rap, top of bank, ordinary high water mark, etc; and
 2. Proposed conditions after reestablishing the jurisdictional areas;
- b. A detailed description of the proposed means of erosion control (silt fence, hay bales, erosion control blankets, etc) and stabilization of the restoration area;

- c. A detailed description of the proposed planting plan for the stabilization and revegetation of the bank. The proposed species shall be native and appropriately selected for bank stabilization;
 - d. A description of the proposed construction sequence and methods for accomplishing restoration or stabilization and anticipated compliance date.
 - e. A description of the method of documenting at least 75% survival of all vegetation planted during the project and successful stabilization of the bank. This should include at a minimum monitoring progress reports for two successive growing seasons following completion of the project as well as provisions for recommending and implementing remedial actions should the progress reports indicate that the vegetative stabilization has not been successful.
3. Have a certified wetland scientist/certified erosion control specialist supervise the implementation of the plan and submit the progress reports.
4. Implement the plan only after receiving written approval and as conditioned by DES.

RSA 482-A, the New Hampshire Wetlands law, was enacted to protect and preserve wetlands and surface waters from unregulated despoliation. Prior to dredging, filling, or construction in and adjacent to wetlands or surface waters, an individual is required to obtain a permit. If work is done without a permit, this is considered a violation of RSA 482-A. Failure to respond to this Letter of Deficiency in a timely and complete manner may be construed as noncompliance by the receiving party.

DES personnel may conduct another inspection at a later date to determine whether you have come into and are maintaining full compliance with the applicable statute and rules.

Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 482-A will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for prosecution of civil or criminal penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against your property.

All documents submitted in response to this Letter of Deficiency should be addressed as follows:

Eric Skoglund, Wetlands Compliance Specialist
Wetlands Bureau
Department of Environmental Services
29 Hazen Drive
PO Box 95
Concord, NH 03302-0095

Should you have any questions regarding this letter, or wish to arrange a meeting, please contact Eric Skoglund at (603) 271-2147.

Sincerely,

Collis G. Adams
COPY

Collis G. Adams, CWS
Administrator
Wetlands Bureau

CERTIFIED MAIL # 7004 0750 0003 0561 8125

cc: Rene Pelletier, Manager, Land Resources Management Program
Gretchen R. Hamel, Administrator, DES Legal Unit ✓
Hooksett Conservation Commission
Hooksett Board of Selectmen
USACOE